

FILED

NOV 24 2009

**EUGENE R. WEDOFF,
BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:

WILLOWBROOK-HINSDALE INN, L.L.C.

Debtor.

Case No. 09 B 10482

Chapter 11

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO
PERKINS COIE LLP ATTORNEYS FOR THE DEBTOR, FOR ALLOWANCE AND PAYMENT OF
INTERIM COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED:	\$149,764.50	TOTAL COSTS REQUESTED:	\$4,673.40
TOTAL FEES REDUCED:	\$535.00	TOTAL COSTS REDUCED:	\$0.00
TOTAL FEES ALLOWED:	\$149,229.50	TOTAL COSTS ALLOWED:	\$4,673.40

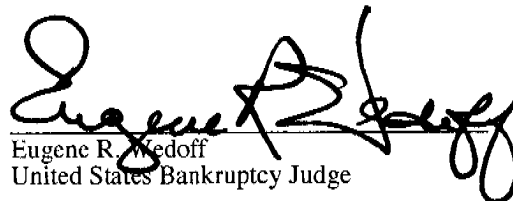
TOTAL FEES AND COSTS ALLOWED: \$152,902.90

THE COURT HAS MARKED THE ATTACHED TIME AND EXPENSE ENTRIES THAT HAVE BEEN DISALLOWED IN WHOLE OR IN PART. THE BASIS FOR EACH DISALLOWANCE IS DISCLOSED BY THE NUMERICAL NOTATION THAT APPEARS ON THE LEFT SIDE OF EACH HIGHLIGHTED ENTRY. THE NUMERICAL NOTATIONS REFER TO THE ENUMERATED PARAGRAPHS BELOW.

(I) Lumping

The Court may impose a ten percent penalty for "lumping." *In re Wildman*, 72 B.R. 700, 709 (Bankr. N.D. Ill. 1987) ("Applicants may not circumvent the minimum time requirement or any of the requirements of detail by "lumping" a bunch of activities into a single entry. [citation omitted]. Each type of service should be listed with the corresponding specific time allotment.").

Dated: November 24, 2009


Eugene R. Wedoff
United States Bankruptcy Judge

10/08/09
70795

Primary Matter Lead: Daniel A. Zazove
Willowbrook Hinsdale Inn LLC

Session: 69787

Prebill # 2618277

Bill # 4071153

Page 21

Time ID	Tkpr Name	Date	Time	Matter Value	Description of Services Rendered	Loc
18329491	J. Steinhagen	09/22/09	2.70	499.50	Conference call with D. Marre and M. Rothstein regarding negotiations of loan documents and run through checklist; review checklist and forward corporation documents and UCC searches to M. Rothstein; review Operating Agreement to begin draft of Resolutions;	40
18318789	D. Marre	09/23/09	2.50	1,362.50	Memorandum to V. Antoniou regarding terms of loan documents and personal guaranty (.3); call with M. Rothstein regarding loan closing checklist issues (.5); correspondence and conferences regarding survey (.2); correspondence with T. Sloan regarding insurance issues (.3); review of further revised documents (1.2);	40
18300131	D. Zazove	09/23/09	2.70	1,755.00	Telephone calls with T. Sloan,(2X) S. Rappin L. Lerner regarding the 2nd amended plan, the loan documents and revisions to same, the bank's due diligence check list(2.0); review the revised loan documents relating to the lien on the plan deposit (.4); confer with D.Marre re same and with respect to additional changes Lender now wants (.3);	40
18318791	D. Marre	09/24/09	3.00	1,635.00	Revisions to Hotel Management Agreement (1.0); correspondence with M. Rothstein regarding final versions of loan documents (.5); attention to survey issues (.5); correspondence and telephone regarding provisions of loan documents (1.0);	40
18318802	J. McNally	09/24/09	0.80	344.00	Emails with D. Marre regarding updated survey issues; review commitment; telephone conference and emails with surveyor regarding update; forward requested documents to surveyor;	40
18323320	D. Zazove	09/24/09	1.80	1,170.00	Conference with D. Marre,(.3); telephone call with S. Rappin(.1); email correspondence with Lender's counsel(.4) regarding the updates to the loan and security documents.; revise 2nd amended plan and motion for non-material adverse finding (.5); telephone call and email correspondence with Lender and Lender's special counsel regarding the License agreement, loan terms, court logistics(.5)	40
18339382	J. Steinhagen	09/24/09	0.40	74.00	Foward title and survey to A. Lee;	40
18339383	J. Steinhagen	09/24/09	0.40	74.00	Scan license agreement and forward to M. Rothstein;	40
18320612	K. Stetsko	09/24/09	2.50	762.50	Update motion and order for approval of modified plan (.3); update plan and exhibits (.5); update loan documents (1.0); email V. Anotniou regarding plan execution (.2); update affidavit of Tom Sloan (.5);	40
18318792	D. Marre	09/25/09	2.60	1,417.00	Telephone conferences with D. Zazove regarding loan documents; 40 correspondence with D. Zazove regarding collateral assignments, franchise agreements and LIBOR breakage costs;	40
18323319	D. Zazove	09/25/09	7.30	4,745.00	Resolving plan and loan issues with Park National Bank; revise loan agreements(3.5); revise language in 2nd amended plan(2.0); multiple calls with Lender, Lenders two lawyers regarding terms of the plan and the loan documents(1.2); telephone calls and emails	40

①
-100%

①
-100%

10/08/09
70795

Primary Matter Lead: Daniel A. Zazove
Willowbrook Hinsdale Inn LLC

Session: 69787

Prebill # 2618277

Bill # 4071153

Page 22

Time ID	Tkpr Name	Date	Time	Matter Value	Description of Services Rendered	Loc
					with client regarding sources and uses, affidavit in support of confirmation.(.6)	
18320611	K. Stetsko	09/25/09	4.30	1,311.50	Revise loan documents to conform with code (3.9); call w/ opposing counsel regarding loan documents (.4);	40
18320194	J. Thomas	09/25/09	0.10	52.00	Correspondence regarding plan issues;	05
18339484	K. Stetsko	09/28/09	0.50	152.50	Update sources and uses statement;	40
18339101	D. Marre	09/29/09	3.80	2,071.00	Correspondence regarding loan documents; correspondence regarding final plan of confirmation; correspondence regarding equipment financing; correspondence regarding franchise agreement; attention to priority of loan issues; attention to issues of borrower's authority; drafted opinion letter for borrower's loan;	40
18324775	J. McNally	09/29/09	0.30	129.00	Review surveyor's initial proposal and emails with him regarding such; emails with D. Marre regarding proposal;	40
18323321	D. Zazove	09/29/09	3.40	2,210.00	Multiple telephone calls and email correspondence with with Lieb Lerner regarding the franchisor's comfort letter, the terms of the plan and the confirmation hearing(.6); Steve Rappin regarding the form of the modified loan documents, the confirmation hearing and the comfort letter(.4); confer with K. Stetsko to go over the current draft of the loan documents, the open items on same, the evidence at confirmation (1.5); with T. Sloan and V. Antoniou to go over the sources and uses statement, the loan documents, the deposit and the evidence for the confirmation hearing(.6); revise draft order confirming the plan(.3).	40
18339485	K. Stetsko	09/29/09	2.50	762.50	Email T. Sloan and V. Antoniou regarding sources and uses (.2); email D. Marre (.1); call w/ T. Sloan and V. Antoniou (.2); prepare executed loan documents (1.0); prepare blackline of loan document (.5); prepare evidence for hearing (.5);	40
18326822	E. Wicks	09/30/09	0.40	242.00	Review and revise Opinion;	40
18339102	D. Marre	09/30/09	2.50	1,362.50	Correspondence with D. Zazove regarding legal opinion; attend plan confirmation hearing; attention to deficiencies in corporate record keeping; comments on legal opinion from M. Rothstein; attention to survey issues;	40
18339107	J. McNally	09/30/09	0.30	129.00	Review updated survey proposal;	40
18324049	D. Zazove	09/30/09	1.10	715.00	Email correspondence with S. Rappin re form of confirmation order and revise same(.7); Email correspondence regarding extension of the license agreement and telephone call and email with V. Antiniou re same.(.4)	40
Fees Total			170.20	94,053.50		

Available Client Unapplied Cash

36,778.00

SUMMARY OF CUMULATIVE BILLINGS

Current Year to 09/30/09

03/20/09 to 09/30/09

Including Matter Value and

Including Matter Value and

①
-10%

①
-10%